

City Manager
Jason Stuebe
City Secretary
Jenny Page
City Attorney
Scott Bounds



Mayor
Norman Funderburk
Council Members
Charles Cunningham
Commission Members
Mike Marshall
Mark Martin

Agenda
Charter Review Commission
Wednesday, August 18, 2021 at 10:00 a.m.
City Hall Council Chamber, 114 West Higgins
Humble, Texas

A possible quorum of Council Members may or may not be present and no action is planned for the Council.

1. Call to order.
2. Presentation, possible action, and discussion of the July 29, 2021 Minutes.
3. Review and discuss Article 1 through Article 8 as time allows.
4. Review and discuss future meeting scheduling.
5. Adjourn.

I, the undersigned, do hereby certify that the above Agenda was posted on August 13, 2021 by 5:00 p.m. at Humble City Hall, 114 W. Higgins Street, Humble, Texas and remained so posted continuously for at least 72 hours proceeding the scheduled time of said meeting. The agenda will also be posted at www.cityofhumbletx.gov.


Jenny Page, City Secretary



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THIS FACILITY IS WHEELCHAIR ACCESSIBLE AND ACCESSIBLE PARKING SPACES ARE AVAILABLE. REQUESTS FOR ACCOMODATIONS OR INTERPRETIVE SERVICES MUST BE MADE 48 HOURS PRIOR TO THIS MEETING. PLEASE CONTACT THE CITY SECRETARY'S OFFICE AT (281) 446-3061 OR FAX (281) 446-7843 FOR FURTHER INFORMATION.

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Minutes
Charter Review Commission
Wednesday, August 18, 2021 at 10:00 a.m.
City Hall Council Chamber, 114 West Higgins
Humble, Texas

STATE OF TEXAS §
 §
COUNTY OF HARRIS §

Members Present: Member - Mayor Norman Funderburk (Arrived 10:24 a.m.)
 Member - Council Member Charles Cunningham, Jr.
 Member - City Manager Jason Stuebe
 Member - City Secretary Jenny Page
 Member - Citizen Mark Martin
 Member - Citizen Mike Marshall
 Member - City Attorney Scott Bounds

Members Absent: None

1. Call to order.

With a quorum present, the Charter Review Commission Meeting of the Humble City was called to order by City Secretary Jenny Page at 10:11 a.m. on Wednesday, August 18, 2021 in the Council Chamber of the City of Humble City Hall, 114 West Higgins, Humble, Texas 77338. Mayor Funderburk was delayed due to another meeting, but would be arriving soon.

2. Presentation, possible action, and discussion of the July 29, 2021 Minutes.

Ms. Page apologized for not having minutes ready for approval and asked for this item to be tabled until the next meeting. A working draft of the minutes was presented for discussion and review.

3. Review and discuss Article 1 through Article 8 as time allows.

The Committee began by using the draft minutes as reference to review items discussed from the last meeting.

Ms. Page presented a final bill from Harris County for the November General Election and Runoff Election as additional information from the previous discussion and stated the final cost of both elections was over \$90,000. The Runoff was \$60,000. While this was a very unusual election due to COVID and a November Presidential Election, a runoff significantly increases the cost. Changing to voting by plurality would eliminate the cost of a runoff election.

Mr. Bounds gave some examples of other cities he worked with that were election by plurality. West University Place was one of them.

Mayor Funderburk arrived at 10:24 a.m. and joined the discussion. After a brief update, Mayor Funderburk stated he felt strongly that the extra cost allowed the opportunity for every registered voter to voice his or her vote.

The Committee picked up where they left off from the last meeting with a proposed new **Section V: Municipal Court: Appointment of municipal judge.**

Mr. Bounds suggested language for the new section that outlined appointment of the judge, compensation, appointment of clerks and their duties, and collection of fines.

Section 10: City Secretary. No changes.

Section 11: Finance Director.

Mr. Bounds suggested taking out the last paragraph or reword it. He will provide new language at the next meeting.

Section 12: Ordinances, Section 13: Procedure for passage of ordinances, and Section 14: Independent audit.

Mr. Bounds recommended removing these sections and addressing them in other sections.

Article III: The Budget.

Section 1: Fiscal year. No changes.

Section 2: Preparation and submission of budget.

Mr. Bounds stated there were many changes in the law in this article. He suggested changing the first sentence to “The city manager, at least ninety (90) days prior to the beginning of each budget year,...”, based on tax rate deadlines.

Section 3: Budget a public record. No changes.

Section 4: Publication of notice of public hearing; and Section 5: Public hearing on budget.

Mr. Bounds suggested combining the two sections, and deleting the phrase, “and shall cause notice of such hearing to be published in the city’s official newspaper not less than ten days nor more than thirty days prior to the date of such public hearing.”

Renumbering will be required from this point forward.

Section 6: Vote required for adoption.

Adoption will be by at least a majority of all members of the whole council. This means majority of positions, not the number of members present.

Section 7: Date of final adoption; effective; filing.

Mr. Bounds suggested removing the first and second sentences referencing the fifteen-day requirement and referencing adoption by council if no action is taken. There was also a gender-neutral reference to correct.

Section 8: Budget establishes appropriations and amount to be raised by property tax. No changes.

Article IV: Borrowing for Capital Improvements

Section 1: Power and authority to incur indebtedness. No change.

Section 2: Referendum on bond ordinance. No change

Section 3: Public sale of all bonds.

Mr. Bounds recommended consulting the city’s Bond Counsel for removal of this section.

Article V: Financial Policies

Section 1: Sale of City Property; procedure for. No change

Section 2: Purchase procedure.

Mr. Bounds suggested taking out the first sentence as it is not needed. Mr. Stuebe suggested adding in “and cities purchasing policies as approved by Council.”

Section 3: Contracts for city improvements. No change.

Section 4: Disbursement of funds.

After discussion, it was agreed upon to change this section to read, “All checks, vouchers or warrants for the withdrawal of money from the city depository shall be signed by the finance director or a deputy, and countersigned by the mayor. In the absence of the mayor, checks may be countersigned by the city manager.”

Section 5: Borrowing in anticipation of property taxes.

Change the year to 20__.

Article VI: Reserved – Take out and renumber Articles from this point forward.

Article VII: Initiative, Referendum, and Recall

Section 1: Power of initiative. No change.

Section 2: Power of referendum. No change.

Section 3: Form of petitions; committee or petitioners. Gender-neutral changes,

Section 4: Filing, examination and certification of petitions. No changes.

Section 5: Consideration by council.

Mr. Bounds recommended changing the second sentence to read, “the next uniform election date” instead of “within thirty days from the date the council takes its final vote thereon”.

Section 6: Recall procedure.

Mr. Bounds recommended adding two sections that were currently in Section 7:

- b. No recall petition shall be filed against the mayor or any city councilperson within six months after the officer takes office or more often than once every six months thereafter.
- c. Should the city council fail or refuse to order any election provided in this article, then it shall be the duty of any district judge of Harris County, Texas, upon proper application being made, to order such elections and to enforce the carrying into effect of the provisions of this article.

Section 7: Recall election.

Gender-neutral changes and delete the last two sentences of the last paragraph.

Article VIII: General Provisions.

Section 1: Publicity of records.

Mr. Bounds recommended adding to the end of the sentence “in accordance with the Texas Public Information Act, Texas Government Code Chapter 551.”

Section 2: Oath of office.

Mr. Bounds recommended deleting this section.

Section 3: Removal of appointed officer.

Mr. Bounds recommended deleting this section and addressing it in the city manager's duties.

Section 4: Retirement of pension for employees. No Changes.

Section 5: Personnel interest.

Mr. Bounds recommended replacing this section with several options and after discussion, the Committee agreed the section should read, "No officer or employee of the city shall participate in a vote or decision on any matter involving a business entity or real property in which the official or employee has a substantial interest as provided by state law."

Section 6: Public library. While the city does not operate a Library, the section can stay.

Section 7: Reserved.

Mr. Bounds recommended changing this section to read, "Section 7: Rearrangement and renumbering. The city Council shall have the power, by ordinance, to renumber and rearrange all articles, sections, subsections, paragraphs, and subparagraphs of the Charter or any amendments thereto, as it shall deem appropriate."

Section 8: Provisions relating to assignment, execution, and garnishment. No change

Section 9: The city is not required to give security or execute bond. No change.

Section 10: Effect of charter on existing law. No change.

Section 11: Present officers to continue in office.

Mr. Bounds recommended removing this section as it was not needed.

Section 12: Construction and severability. No change.

Section 13: Amending the charter. No change.

Section 14: Submission of charter to electors.

Mr. Bounds recommended reworking this section to include "amendments to this charter may be framed and submitted to the qualified voters of the city in a manner provided by the applicable statute of the State of Texas." Additionally, adding a section titled Charter Review Commission, outlining the duties, terms, number of members, and providing for a charter review at least every ten years.

This concluded the initial review of the charter.

4. Review and discuss future meeting scheduling.

The next meeting was planned for Thursday, September 2, 2021 at 1:00 p.m. and the Finance Director will attend to provide feedback related to the finance sections.

Mr. Bounds and Ms. Page will start working on sorting everything into categories and ballot language.

5. Adjourn.

With no further business to discuss, the meeting was adjourned at 12:04 p.m.

APPROVED BY CHARTER REVIEW COMMISSION THIS 2ND DAY OF SEPTEMBER 2021.



Jenny Page, City Secretary

